



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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Atty KC - Is this
what we
want/need?

- Mike

XTR A

February 9, 2005

Ms. Paula Van Haagen
USEPA Region 10
1200-6th Ave
Seattle, WA 98101

Dear Ms. Van Haagen:

On December 1, 2004, Ecology received an email request to assist in your agency's technical and legal review of our water quality standards. We are enclosing responses to the specific questions raised by EPA regarding the implementation of the water quality standards adopted by the state of Washington on July 1, 2003, and still pending federal review.

We hope that our responses fulfill your information needs and can be used to expedite your review of our state standards. Please let us know if you need any further information or clarification.

Sincerely,

Melissa Gildersleeve

MG:mh:ak

Enclosure

cc: Mike Gearheard
Kathleen Collins
John Palmer



Responses to questions submitted by John Palmer, USEPA Region 10, to Melissa Gildersleeve, Department of Ecology, on December 1, 2004, seeking clarification on issues involving the implementation of the Washington's revised water quality standards.

1) Natural conditions exceeding the criteria.

EPA would like to understand Ecology's procedures for implementing the natural conditions provisions in the state standards. Specifically regarding how Ecology will determine when a condition is appropriate, how a numeric value will be established for that natural condition, the process that will be used to make this information available to the public for review and comment, and how the alternative criteria will be tracked. EPA has asked Ecology to:

(a) Identify the potential pollutants/parameters, which are naturally occurring.

We do not limit what can be considered natural. Our experience to date, however, suggests there are only a limited number of parameters that are likely to be found in excess of numeric water quality criteria due to natural conditions. Temperature, dissolved oxygen, turbidity, bacteria, and pH are the conventional parameters most likely to be found in excess of the numeric criteria due to natural conditions. We also expect some waters with high natural concentrations of arsenic and copper to exceed the numeric criteria.

(b) Provide a general description of the methods to be used for estimating natural conditions along with a demonstration that the higher pollution level is due to naturally occurring conditions.

The rule makes it clear that where Ecology identifies a natural condition that is less stringent than the numeric criteria set out in the state's water quality standards, the natural condition supercedes the numeric criteria. Examples of natural conditions include but are not limited to the effects of an eroding ore deposit, offshore upwelling of deep hypoxic marine waters, and the natural thermal potential of a stream.

If Ecology is aware of information documenting a violation of the numeric criteria, we will list the water body as impaired on our next 303(d) list unless we are also aware that the violation is a natural condition. If we do not have information that demonstrates the violation is due solely to natural causes, we will use the TMDL process to investigate further whether the violation may be attributed to a natural condition. If we conclude that the violation is solely attributed to a natural condition, we will place the water in category 1 and submit our findings to EPA.

In the case of temperature, the revised criterion requires that where a water body or segment's water temperature under natural conditions exceeds the numeric criterion, then the natural condition is the applicable water quality criterion for that water body. Natural

temperatures are those that would exist in the absence of human activities that alter stream temperatures. Ecology views natural conditions to be fully protective of salmonid and other designated uses because they represent the highest natural potential quality a river system can provide. Prior to human development these natural conditions clearly did not preclude healthy salmonid populations in our state.

Natural temperature conditions will be determined using credible methods utilizing the best available data. Typically, this analysis is performed in the context of a TMDL or verification study.

Overview of methods to estimate natural background temperatures:

There are a number of different ways of estimating natural temperature conditions for the purposes of applying the narrative criterion. These include:

- 1) Demonstrating that current temperatures reflect natural conditions
- 2) Using statistical or computer simulation models based on data
- 3) Using a non-degraded reference stream for comparison
- 4) Using historical temperature data

For water temperature and dissolved oxygen in fresh waters, Ecology will be relying principally on method two, but may find the other methods useful for any given analysis. For other parameters, Ecology may use one or more of these methods to determine natural background; however, modeling will remain the primary tool for assessing natural conditions since accurate application requires not only noting that natural conditions exceed numeric criteria but also requires identifying the best estimate of that natural level.

Temperature models:

Ecology estimates the natural thermal potential of Washington's streams using a process model known as "QUAL2Kw". This modeling is generally a two-step process. As a first step, the current river temperatures are measured through ambient monitoring, and in some cases also with infra red technology. The watershed's current physical characteristics (e.g., amount of shade provided by the canopy, river geometry, sources of flows, significant cold water flows, point source inputs, etc.) are also recorded. Using this information, a model of each watershed is created that simulates its current temperature conditions. The model is calibrated by comparing the simulated temperatures with the actual measurements.

Once the model is calibrated, the second step involves changing the system's physical characteristics to represent natural conditions. Examples of these changes are removal of point source discharges from the model inputs, changing the model hydrodynamics from impounded conditions due to a dam to free-flowing conditions, changing channel geometry, and increasing the riparian shade to represent a natural forest. Since process models do not rely upon data from reference locations they can be used for rivers that have no suitable natural reference comparisons available. Thus, process models are well suited for estimating natural conditions for larger streams and rivers.

Process-based models are also useful for understanding the basic mechanisms influencing water temperature in a watershed, understanding the relative contributions from different sources at different locations, understanding cumulative downstream impacts from various thermal loads, performing "what if" scenarios for different mitigation options, and setting TMDL allocations.

Demonstrating that current temperatures reflect natural conditions:

Under this approach, the past and present human activities that could impact the river temperatures are documented and a technical demonstration is made that the human activities do not currently impact temperatures. This approach is most applicable to non-degraded watersheds (e.g., national parks, wilderness areas, and protected state and national lands). These watersheds can be used as "reference" streams for estimating the natural background temperatures of degraded streams (see below). If there is a small human impact on temperature, it may also be possible to estimate the human impact and subtract it from current temperatures to calculate the natural temperatures.

Comparisons to a reference stream:

It is often reasonable to assume that the natural temperatures of a thermally degraded stream are similar to those of a non-degraded stream, so long as the location, landscape context, and physical structure of the stream are sufficiently similar. The challenge to this approach is finding a reference stream that is of similar location, landscape context, and physical structure. Because large rivers are unique and most in the Pacific Northwest have been significantly impacted by human activities, this approach is most applicable to smaller streams. Reference sites have been used by Ecology to assess the natural concentrations of arsenic in our marine systems. Where concentrations in unaffected reference waters are equal to sites under investigation and sources of contribution are not apparent, it serves as a basis for determining that arsenic concentrations are at naturally high levels.

(c) Describe how uncertainty analyses are used in estimating the natural condition.

Ecology addresses uncertainty in model applications using statistical measures for goodness-of-fit and incorporation of an implicit margin of safety. Critical conditions that are used for the evaluation of natural conditions incorporate uncertainty in major environmental variables (e.g., stream flows and meteorological conditions).

(d) Commit to affirming that human health and beneficial uses are protected/attained by the natural conditions, or if not then a re-evaluation of the human health use.

Our standards already contain explicit directives to protect both existing and designated uses. Ecology will change (re-evaluate) the designated uses where they are not attainable as determined in accordance with the federal regulations on UAAs. Thus it is unclear what further commitment EPA staff are looking for.

(e) Commit to tracking natural condition determinations.

Ecology also sees a need to be able to track natural condition determinations and to provide a site that both Ecology staff and the general public can readily use to obtain this information. We have not yet settled on the best approach, but we expect to provide either an interactive map or WRIA coded lists on the internet to link people to these decisions and their basis.

(f) Commit to a public process for natural conditions determinations (which can be accomplished through the NPDES permit, TMDL, 303(d) listing public process).

The department provides for public review as part of the NPDES, TMDLs, and 303(d) processes, even though a separate public forum does not exist to evaluate the use of the natural conditions provisions of the state standards. Any natural condition determination would be a driver to an NPDES permit issued alone or in combination with any TMDL. As such it becomes a central part of the public discussion. Water bodies that exceed the standards due wholly to natural conditions are also noted in category one of the 303(d) list and are subject to public review. Ecology is certainly willing to work with EPA to find even more effective procedures for stimulating public discussion on the issue of natural conditions-based standards.

(g) Commit to working with EPA on more detailed natural condition methodology in the TMDL, NPDES, or 303(d) listing context.

Ecology already made this commitment and provided Region 10 management the name of a contact person (Andrew Kolosseus). We have been waiting now for over two years for the region to follow through and initiate this project, and we remain ready to work with EPA when the time comes.

2) Spawning narrative for char.

Ecology adopted a narrative criterion for the protection of char spawning that would apply where Ecology determines the alternative summer maximum criteria (12°C) would not likely protect spawning and incubation. EPA has asked for clarification on how this narrative would be applied and has asked for a list of waters where it would be applied to protect summer spawning.

Ecology is not planning unilaterally to develop guidance for the application of these narrative spawning criteria. For over a year, we have been awaiting the completion of EPA's review of our standards in the hope that the Tribes, who we consider to be important partners in the development of such guidance, may again be willing to work with Ecology. They have been unwilling to work with us to develop implementation guidance for the new rule, since they have been provided an opportunity to directly persuade EPA to override portions of our newly adopted standards they find objectionable. We cannot provide a list of waters where we would apply the guidance

until we develop the guidance that will be used to construct that list. In addition to the tribes, Ecology will also coordinate directly with WDFW to determine water bodies where alternative spawning criteria should be applied.

As soon as EPA has completed its review of our standards, Ecology will try again to get the necessary stakeholders (particularly the tribes) back to the table to help develop spawning criteria guidance.

There is a unique precedent setting aspect to this request that Ecology believes needs to be considered by EPA. We do not believe that EPA has previously asked a state to know in advance exactly where it will use one of its narrative standards as a condition for its approval.

Ecology is puzzled by EPA's emphasis on guidance, which is not legally enforceable rule language as is required for water quality standards. Ecology recommends that EPA look to the record of their own guidance documents and processes to determine whether guidance documents are universally used and legally enforceable, and whether it is appropriate to include guidance (outside the actual rule itself) within a water quality standards review process.

3) Criteria applicable to lakes.

EPA would like clarification on the relationship that exists between the numeric criteria for temperature and dissolved oxygen and the narrative criteria adopted for protecting lakes which is based on natural conditions.

The narrative provisions [e.g., 200(1)(c)(v), 200(1)(d)(ii)] override the numeric values in the tables [e.g., Tables 200(1)(c), 200(1)(d)]. These narrative provisions are designed to maintain critical water quality parameters (e.g., temperature, dissolved oxygen) in lakes at near natural levels. This keeps lakes at essentially the same level of protection as what was allowed under the standards prior to the July 2003 rulemaking under the Lake Class category. The use designation in 600(1)(a)(ii) does not state or infer that lakes have any specific temperature criteria. It is necessary to refer back to Section 200 to see what the criteria are to protect the various designated uses, and in Section 200 it is stated that: for lakes, human actions considered cumulatively may not increase the 7-DADMax temperature more than 0.3 above natural conditions. So, the temperature criterion for lakes is based on the natural condition rather than a fixed biological threshold criterion such as 16°C. We would also apply the other relevant implementation considerations to lakes such as 200(1)(c)(ii) and (iii). It would have been clearer if we had made these cross references within the section, and we will likely make such clarifying changes in a future rulemaking.

4) Thermal plume provisions.

Ecology adopted narrative statements on temperatures preventing lethality and barriers to migration. These include 200(1)(c)(vii) and 200(1)(c)(v). EPA would like an explanation on how this guidance will be applied in connection with the mixing zone provisions and particularly how areas of higher temperature will be limited spatially to protect salmonids from thermal plume impacts.

As described in the standards, the temperature provisions apply beyond their use in helping to evaluate the possible impacts of mixing zones. The provisions also contain components that serve as guidance in addition to components that are mandatory. Paragraph (vii)(C) creates a non-discretionary directive for Ecology permit writers and will be applied in all permits that require mixing zones. Paragraphs (vii)(A) (B) and (D) serve as technical guidance to be considered in the application of narrative standards to protect designated uses.

In Washington, mixing zones have very explicit size and siting restrictions. For example, chronic criteria must be attained using only 25% of the flow and not cover more than 25% of the width of a river and not extend downstream more than roughly 300 feet, and acute criteria must be attained using only 2.5% of the flow and not covering more than 25% of the width and not extend downstream more than roughly 30 feet (10% of chronic distance). In marine waters the mixing zone may extend for roughly 200 feet around the discharge ports, with only 10% of that distance used to meet the acute criteria. These size restrictions are set at design conditions that equal the most extreme 10th percentile year in terms of flow (least amount of dilution) and paired with the assumption that the discharge is at its expected potential maximum temperature (typically the maximum design condition). Since the maximum temperature does not necessarily occur at all, let alone during the period when the 7Q10 low flow is occurring, the actual mixing zone size will be much smaller than what is permitted for most years and most of the time in all years. While the above describes the maximum spatial limits, there are also narrative provisions that demand that the size be minimized and that no mixing zone be authorized where it would harm designated uses. Thus siting and orientation decisions for mixing zones are also regulated to avoid sensitive areas. The mixing zone regulations do offer some limited conditions under which exceptions from the size restrictions may be authorized. Even in this context a larger mixing zone would still only be authorized where it would not "cause a loss of sensitive or important habitat, substantially interfere with existing or characteristic uses of the water body, result in damage to the ecosystem, or adversely affect public health". To date, Ecology has not granted any exceptions to the size requirements allowed, but there is always a possibility that a situation could arise that would qualify for consideration. Where exemptions from the configuration requirements have been granted they have been done at the request of the state department of fish and wildlife to avoid extending outfalls into mid-channels where they may disrupt migration patterns in small rivers.

The narrative temperature criteria provisions are in part intended to guide the agency's determination regarding what level of extended mixing zone would be allowable. Even

where the maximum size allowance for the mixing zone would be met, the narrative temperature provisions would be used in regulating the effects of temperature within and via mixing zones. Plume temperatures are not permitted to exceed 33°C for a time of travel greater than 2 seconds – again this is based on an analysis at the reasonable worst case conditions of river flow and effluent temperature (low dilution of hot water). This means that in most years and most of the time in all years the actual area of hot water would be less than the maximum established in the regulation. Mixing zones cannot be authorized that would allow a violation of the water quality standards outside their maximum allowable limits (i.e., 300 feet freshwater, and 200 feet radius marine water). This means that the temperature criteria (12°C, 16°C, 17.5°C, etc) must be met at the edge of the mixing zone. For these standard mixing zones, the only ones we have authorized to date, there is no need for further temperature control points. The only situation where the remaining narrative temperature criteria would be brought into use would be if some unique situation were to arise where a greater mixing zone was legitimately requested under 400(12). In such a case, all of the narrative provisions would be considered in combination along with other relevant information before allowing any alternatively sized mixing zone to be established. This includes the siting and technology reviews required in 400(13)(a) and (b), the narrative standard to protect designated and existing uses in 400(4) and elsewhere in the regulation, and the narrative temperature provisions in 200(c)(vii).

The purpose for the 200(c)(vii) provisions is not explicitly or directly related to mixing zones outside of the restriction on plume temperatures (discussed above). Except for 200(iv)(C), the 200(c)(vii) provisions are primarily informative, and we are not aware of any specific situation where they would be used. Since from time to time we need to determine if unique actions can be allowed (one time discharges, variations from normal effluent conditions to respond to maintenance needs, etc.) we decided it would be beneficial to document what types of temperatures can cause lethality to fish or blockages to their migration. By putting this information in the rule it will be readily available if and when it is ever needed to ensure that the aquatic resources of the state will be fully protected.

5) Antidegradation.

a) EPA would like an explanation of the process that will be used to address compliance with Tier II for general permits (i.e., What information will be made available to the public at the time of public notice of the general permit? Will there be opportunity for any site-specific antidegradation evaluation of specific actions that fall under the general permit at the time that an applicant applies for coverage under the general permit?).

While individual actions covered under a general permit do not need to go through independent Tier II reviews, it is important that the public be able to weigh in on whether individual actions meet the Tier II requirements. Only through a public notice of intent to provide coverage and expected compliance with antidegradation does the general public have an opportunity to question individual actions. Thus, requests for coverage will be

public noticed in a local paper and on Ecology's webpage along with a statement identifying the receiving water body and the fact that general permit conditions were established with the expectation that the facilities covered will meet water quality standards and the water quality antidegradation requirements. A contact name for obtaining more information on the antidegradation review for the general permit will be included.

The Tier II antidegradation requirements will be adhered to in any new general permit developed by the department and applied anytime an existing general permit is renewed. At the time of issuance or re-issuance, all of the facilities will be listed that are known to need coverage. That list is and will continue to be made part of the public review process for the new or revised general permit. The issue of whether the permit meets antidegradation requirements will be directly dealt with as part of the public review of the general permit, and Ecology will specifically include an opportunity for the public to challenge whether any of the entities for coverage under the permit are not appropriate because they do not fit the qualifications for inclusion or because they do not meet the state's antidegradation regulations. Additionally, when new facilities apply for coverage under an existing general permit (outside Ecology's five year process for renewal and public involvement), Ecology will provide a public notice that lists the facilities applying for coverage and request public comment on whether the facilities meet the qualifications for coverage and the state's antidegradation regulations. In some cases the individual facilities will be responsible for providing their own public notice, in which case Ecology will provide a boiler plate for the information the notice must contain.

b) EPA would also like clarification of procedures that will be used to ensure that existing cold-water refuges will be protected.

Language on the protection of thermal refugia is contained in Tier III(a) of the antidegradation regulations. Tier III(a) of the state rules is essentially the same as the Tier III outstanding national resource waters category in the federal antidegradation regulations. In both cases, establishing waters under Tier III is discretionary. Where waters are established under Tier III(a) to protect thermal refugia, the department will use the full array of regulatory and incentive based programs at its disposal to protect those waters from any degradation of temperature and dissolved oxygen. This means that zero degradation will be the requirement for authorizations under programs such as NPDES and 401 Certifications, and through the establishment of load allocations under a TMDL. By limiting non-degradation protection to temperature and oxygen in the case of waters designated solely because they serve as thermal refugia, the state program eliminates some of the concerns that would otherwise exist if we were to have extended non-degradation requirements to every type of pollutant and water quality constituent. We believe this will result in a better chance of having refugia protected in the mid to lower reaches of rivers where the refugia serve its most vital purpose. In addition to Tier III(a), Washington also has a Tier III(b) in the antidegradation requirements. Tier III(b) also can be applied to protect thermal refugia, but it was designed in a way that encourages even broader use by allowing for a cumulative but insignificant level (non-measurable) of water quality degradation in Tier III(b) waters. This makes it a more tenable designation

for refugia that exist in the lower portions of rivers where a broad range of human activities will need to be controlled to ensure water quality preservation.

6) Short-term modifications.

Section 410(2) of the new standards includes an option to renew short-term modifications for long-term projects. This seems to have the potential for more than short-term exceedences and raises the question of what distinguishes a short-term modification from a variance. EPA would Ecology to answer the following questions:

a) How will short-term modifications be implemented?

Short-term modifications are almost exclusively implemented as conditions within NPDES and 404 permits and through licensing agreements established under 401 Certifications.

b) Are the criteria modified, with an alternative level set in the short-term modification, or is the short-term modification provision a form of enforcement/compliance discretion?

They are a form of enforcement/compliance discretion, but alternative thresholds are typically established to ensure that the narrative requirements for protecting uses will be met. Water quality modifications also typically contain timing restrictions (windows) and monitoring and notification requirements.

c) How will Ecology decide whether to issue a short-term modification or a variance.

Ecology will commit to working with EPA on this issue to ensure that we are not authorizing defacto variances, since this is not our intention. Ecology will be comparing situations against the EPA regulations and guidance for issuing variances, and where conditions better fit the description of a variance, we would not issue a short-term modification. For example, where the actual period of pollution levels exceeding the established limits of a numeric criterion would be long-term (not hours or days) rather than just the project itself being long term, we will be looking towards establishing a variance. Where the action would preclude a designated use (harm to existing uses would not be allowed under either program) from being established, we would also pursue a variance.

d) What is the limit for the duration of exceeding a criterion to be considered a short-term modification?

It would be determined on a case-by-case basis taking into consideration the nature of the violation and its risks to designated and existing uses. However, the regulation clarifies in general terms that short term means (i.e., "hours or days rather than weeks or months"). What is often difficult to understand is that the length of the modification

period is not the amount of time that criteria are permitted to be exceeded. The short-term modification, when made a part of a long-term management plan, may be in force for up to five years and be renewable, but the action that causes a violation of water quality criteria would need to be one that is sporadic and largely kept to a few hours or a few days each time it occurs. For example, modifications established under permit for the control of nuisance aquatic plants are based on plans that allow treatment only where and when nuisance plant and algae levels develop over the summer. It is not possible to predict in advance exactly where and when these treatments should occur since they are triggered by changes in weather and water inflow to the lakes. Similarly it is important to understand that the short-term modification allowance may include multiple locations such that a single location may only be affected once during the plan period. For example, a transportation improvement program may receive a modification allowance for installing fish-friendly culverts. Each time a culvert is replaced or retrofitted it is likely that for a brief period there will be a pulse of sediment exceeding turbidity criteria. Rather than asking the entity to apply separately for authorization each time they replace a culvert, the entity can have a programmatic plan approved that would cover their culvert improvement activities for up to a five year period.

EPA may also be interested in the application of 410(3) where a longer-term modification can be issued for restoration activities. This allowance is new to our standards and recognizes that major restoration activities that are consistent with the goals of the federal Clean Water Act do not fit with the language in the federal rules that would apply to variances. The very nature of the project is to change the physical habitat such that a healthy natural community will be regained. This does not fit into any of the established categories in 40 CFR 131.10(g), which were designed to assess when damage to use protection is considered acceptable. For example, 131.10(g)(4) says that a designated use may be removed if dams diversions and other hydrologic modifications preclude attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that result in attainment of the use. But the restoration activities envisioned to need coverage under 410(3) are those that include removal of dams and the re-engineering of the natural hydrologic system. These major activities may preclude full attainment of a designated use during much longer periods because of their massive scale and the need for the aquatic system to return to a healthy equilibrium. Yet the purpose and water quality trajectory created is to meet the reference condition established in CFR 131.10(g)(4) – to maintain the natural health of the system where feasible. These major projects will also be reviewed through public processes under SEPA and/or NEPA and are unique enough to ensure that this provision will not be used in contrary to the intent of the state and federal water quality laws and regulations. These types of projects will be rare, and Ecology is fully committed to working with EPA in the application of this provision to ensure that the federal regulations are not violated.

7) Compliance schedules for dams

EPA has asked for an explanation for how the dam compliance schedule provision would be implemented. Specifically, what happens if a water quality standards' revision or an offset is not completed at the end of the compliance schedule? The concern is that a period of noncompliance with the standards would exist.

There is no one pathway that all dams will take as they move into compliance with the state's water quality standards. In some cases, the structural and operational changes will be successful in bringing the facility into compliance with the existing criteria during the initial compliance schedule period. In other cases, the actions taken during the compliance period will create the documentation needed to support changing the water quality standards for the water body (*i.e.*, via a Use Attainability Analysis, Site Specific Criteria, or Variance).

Ecology thinks the initial compliance period (not to exceed ten years) provides adequate time to assemble the needed supporting information and to change the standards successfully. Where there is not time during the initial period to also go through a rulemaking, or where Ecology recognizes the need to evaluate other technical alternatives, the department may choose to establish a second compliance schedule [see paragraph (5)(g)(i)]. Such an extended compliance schedule would be reserved for those facilities that have made a good faith effort to come into compliance through investigating structural and operational remedies during the initial compliance period, or where a rule change appears imminent. Section 510(4)(a)(v), which establishes the general provisions for compliance schedules, also provides a direct allowance for compliance schedules for "resolution of a pending water quality standard' issue through rule-making action."

Ecology cannot say that dam operations will never be out of compliance. Failure to establish a water quality attainment plan, failure to meet the conditions (tasks and milestones) established in a water quality attainment plan, or failure to demonstrate that a revision of the standards is warranted are all situations where a dam operation might find itself in noncompliance with the standards. In such cases, Ecology will use its enforcement authorities to bring the dam operation back into compliance just as it does with non-dam facilities regulated by Ecology and required to meet the water quality standards. Therefore, if at the end of the ten-year compliance schedule, the dam does not meet the standards they would be out of compliance. If sufficient information exists to suggest a basis for changing the standards, Ecology may choose to authorize another compliance schedule to cover the facility while we take the issue through a rulemaking to adopt a UAA or a Site Specific Criteria.

The recent federal 9th circuit court decision does create a potential for the federal dams to remain out of compliance with state standards. This is because the decision concluded that the federal dams must remain in place and serve their congressionally authorized purpose, and there appears to be no applicable UAA procedure [40 CFR 131.10(g)] to account for federal ownership status as a basis for changing the designated uses or for not

meeting the state standards. Ecology would like EPA direction on how we are to address noncompliance of these federal facilities in our state's federally mandated water quality programs in light of this recent court decision.

8) Use Designations in GIS

EPA has asked that Ecology develop GIS coverage for the use designations in the water quality standards for each WRIA not already mapped by the NWIFC to facilitate EPA's review of the standards.

Ecology has sent coverage for the entire state to Bill Bogue with your office.